



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

*Mitchell E. Daniels, Jr.*

Governor

*Thomas W. Easterly*

Commissioner

100 North Senate Avenue

Indianapolis, Indiana 46204

(317) 232-8603

Toll Free (800) 451-6027

[www.idem.IN.gov](http://www.idem.IN.gov)

May 26, 2011

VIA ELECTRONIC MAIL

Mr. Steven J. Law  
Texas Gas Transmission, LLC  
3800 Frederica Street  
Owensboro, KY 42304

Dear Mr. Law:

Re: NPDES Permit No. ING670071  
Boardwalk Pipeline Properties  
Gibson County, Indiana

This agency has reviewed your request in a letter dated March 23, 2011, for termination of the above-referenced permit due to the fact the pipeline has been rearranged to a different site and all discharges eliminated. A NPDES permit is no longer required.

Therefore, National Pollutant Discharge Elimination System Permit No. ING670071 issued February 15, 2011 is hereby revoked effective 18 days from the mailing date of this letter.

Any party adversely affected or aggrieved by this decision may appeal by filing a petition for administrative review with the Office of Environmental Adjudication (OEA) within eighteen (18) days after the date of mailing of this letter. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant, a person aggrieved or adversely affected by this termination or otherwise entitled to review by law. Pursuant to IC 13-15-7-3, this decision shall remain in effect pending a decision on any appeal that has been timely requested under the provisions of IC 4-21.5. The address is:

Office of Environmental Adjudication  
Indiana Government Center North  
100 North Senate Avenue, Room 501  
Indianapolis, IN 46204

Mr. Steven J. Law  
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You are reminded that any future discharge to waters of the state must be preceded by the submission of an NPDES application at least 180 days prior to the commencement of such discharge.

If you have any questions regarding this matter, please contact Mr. Joe Gwinn of our staff at 317/ 233-8769.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul Higginbotham', with a stylized flourish at the end.

Paul Higginbotham, Chief  
Permits Branch  
Office of Water Quality

cc: Gibson County Health Department  
steven.law@bwpmlp.com

STATE OF INDIANA  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

PUBLIC NOTICE NO. 2011 – 5H -GP

DATE OF NOTICE: May 26, 2011

The Office of Water Quality issues the following **NPDES GENERAL PERMIT**.

**TERMINATION**

**BOARDWALK PIPELINE PROPERTIES**, Permit No. ING670071, GIBSON COUNTY, Fort Branch, IN. This permit is being terminated because there is no longer a discharge. Permit Writer: Joe Gwinn at 317/233-8769.

**PROCEDURES TO APPEAL**

General Permit documents are available for inspection at IDEM, Office of Water Quality/Permit Section, IGCN, 100 N Senate Ave, Indianapolis, IN, Room 1203, from 9 - 4, Monday-Friday (copies 10¢ per page). The General Permit is also available at the local Health Department. Please tell others you think would be interested in this matter.

**Appeal Procedure:** Any person affected by the issuance of the Final Permit may appeal by filing a Petition for Administrative Review with the Office of Environmental Adjudication within eighteen (18) days of the date of this Public Notice. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant; a person aggrieved or adversely affected or is otherwise entitled to review by law.

**Timely filing:** The Petition for Administrative Review must be received by the Office of Environmental Adjudication (OEA) within 18 days of the date of this Public Notice; either by U.S. Mail postmark or by private carrier with dated receipt. This Petition for Administrative Review represents a request for an Adjudicatory Hearing, therefore must:

- state the name and address of the person making the request;
- identify the interest of the person making the request;
- identify any persons represented by the person making the request;
- state specifically the reasons for the request;
- state specifically the issues proposed for consideration at the hearing;
- identify the Final Permit Rule terms and conditions which, in the judgment of the person making the request, would be appropriate to satisfy the requirements of the law governing this NPDES Permit rule.

If the person filing the Petition for Administrative Review desires any part of the NPDES Final Permit Rule to be stayed pending the outcome of the appeal, a Petition for Stay must be included in the appeal request, identifying those parts to be stayed. Both Petitions shall be mailed or delivered to the address here:  
**Phone: 317/232-8591.**

Environmental Law Judge  
Office of Environmental Adjudication  
IGC – North Building- Rm 501  
100 N. Senate Avenue  
Indianapolis IN 46204

**Stay Time frame:** If the Petition (s) is filed within eighteen (18) days of the mailing of this Public Notice, the effective date of any part of the permit, within the scope of the Petition for Stay is suspended for fifteen (15) days. The Permit will become effective again upon expiration of the fifteen (15) days, unless or until an Environmental Law Judge stays the permit action in whole or in part.

**Hearing Notification:** Pursuant to Indiana Code, when a written request is submitted, the OEA will provide the petitioner or any person wanting notification, with the Notice of pre-hearing conferences, preliminary hearings, hearing stays or orders disposing of the Petition for Administrative Review. Petition for Administrative Review must be filed in compliance with the procedures and time frames outlined above. Procedural or scheduling questions should be directed to the OEA at the phone listed above.





IDEM  
OFFICE OF  
WATER QUALITY

3800 Frederica Street  
P.O. Box 20008  
Owensboro, KY 42304-0008  
270/926-8686

**VIA CERTIFIED MAIL**

2011 MAR 31 A 8:33

March 23, 2011

Indiana Department of Environmental Management  
Office of Water Quality  
Chief Permit Section  
Mail Code 65-42  
100 Senate Ave.  
Indianapolis, Indiana 46204

Attn: Stan Rigney

Subject: Texas Gas Transmission, LLC  
Notice of Termination for Permit No. ING670071

Mr. Rigney:

Texas Gas respectfully requests removal of coverage under the referenced previously issued Permit.

Permit No. ING670071 for Gibson County, Indiana for our rearrangement of our pipeline facilities has eliminated all discharges.

Therefore, there will be no further resumption of any discharge under Permit No. ING670071.

If you have any questions or need additional information regarding this submittal, please contact me at [steven.law@bwpmlp.com](mailto:steven.law@bwpmlp.com) or (270) 688-6954.

Sincerely,

A handwritten signature in cursive script that reads "Steven Law".

Steven Law  
Senior Environmental Specialist

C: Helen Demmings, Environmental Manager  
IDEM/Office of Water Quality  
Compliance Branch - Mail Code 65-42 CDS  
Compliance Data Section  
100 Senate Ave.  
Indianapolis, Indiana 46204

